

# **EXHIBIT M**



WAR IN UKRAINE | TECHNOLOGY

# To Bolster Crucial Ukrainian Industry, U.S. Will Suspend Steel Tariffs

By ANA SWANSON

WASHINGTON — The Biden administration announced on Monday that it would lift tariffs on Ukrainian steel for one year, halting a measure that President Donald J. Trump placed on that country and many others in 2018.

The move comes as the Biden administration looks for ways to assist Ukraine during the Russian invasion. Ukraine is a fairly minor supplier of U.S. steel, shipping about 218,000 metric tons in 2019, to rank 12th among America's foreign suppliers. However, the sector is a significant source of economic growth and employment for Ukraine, and steel mills have continued to provide paychecks, food and shelter for their workers through the war.

When Prime Minister Denys Shmyhal of Ukraine visited Washington last month, he told administration officials that some Ukrainian steel mills were starting to produce again after initially shutting down because of the invasion. He asked the Biden ad-

*Providing paychecks and more for workers throughout the war.*

ministration to suspend the tariffs, a senior Commerce Department official, who was not authorized to speak publicly before the official announcement, said on Monday.

The United States imposed a 25 percent tariff on foreign steel and a 10 percent tariff on foreign aluminum three years ago on national security grounds, arguing that a flood of cheap metal had decimated American manufacturing and posed a threat to its military and industrial capacity.

Ukraine is a significant steel producer, ranking 13th globally. Most of the country's factories and other economic activity have been frozen as workers have been called off to fight and shipments of parts and raw materials have been disrupted during the war. Many major Ukrainian steel mills halted their operations in late February because of major disruptions to logistics routes required to ship metal out of the country, analysts at S&P Global said.

The senior Commerce Department official said that Ukrainian steel plants had been cut off from some of their traditional markets in the Middle East and Africa, as the war closed shipping lanes through the Black Sea. In order to continue to support its plants, the Ukrainian government is now aiming to move steel by rail to Romania, and then on to markets in Europe, Britain and the United States, the official said.

The Commerce Department has noted that the steel industry is crucial to Ukraine's economic strength, employing one in 13 people there.

A steel mill in Mariupol under siege by Russian forces sheltered thousands of Ukrainian soldiers and civilians for weeks. Russian and Ukrainian officials said on Saturday that all of the women, children and elderly people who had been trapped in the plant had been evacuated.

"For steel mills to continue as an economic lifeline for the people of Ukraine, they must be able to export their steel," Gina M. Rai-



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Above and below left, the ArcelorMittal steel plant in Kryvyi Rih, Ukraine, last week. The country's prime minister has said that some mills that shut because of the war had restarted production.



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Steel at the port of Mykolaiv in February, shortly before the Russian invasion; the city was attacked last month. With Black Sea shipping lanes closed, the Ukrainian government is said to be planning to move the metal by rail to Romania, and then on to Europe, Britain and the United States.

mondo, the commerce secretary, said in the announcement. "Today's announcement is a signal to the Ukrainian people that we are committed to helping them thrive in the face of Putin's aggression, and that their work will create a stronger Ukraine, both today and in the future."

The move is one of a variety of economic measures aimed at penalizing Russia and assisting Ukraine. Those include a broad set of sanctions on Russian entities, export controls that have limited Russian imports and \$3.8 billion in arms and equipment for the

Ukrainian government, in addition to other direct financial assistance.

Senators called on the administration last month to lift the steel tariffs, saying it would help the industry bounce back immediately after the war.

"Lifting the U.S. tariff on steel from Ukraine is a small but meaningful way for the U.S. to signal support for Ukraine and to provide stability," Senators Patrick J. Toomey, Republican of Pennsylvania, and Dianne Feinstein, Democrat of California, wrote in a letter.

Many other major steel-producing countries have had their tariffs lifted or eased.

During his presidency, Mr. Trump negotiated deals with South Korea, Mexico, Canada and other countries to replace the tariffs with quotas or so-called tariff rate quotas, which restrain the volume of a product coming into the United States but allow at least some of it to be imported at lower tariff rates.

In recent months, the Biden administration has negotiated deals with the European Union, Britain and Japan to ease metal tariffs

while maintaining some protections that domestic steel makers have called for.

The Commerce Department official said that the administration did not want to subject Ukraine to a similar extended negotiation to change the tariffs at this time, but that it would be ready to discuss a further arrangement after the one-year suspension expired.

Lawmakers and industry executives applauded the move, though some importers and other trade proponents said the changes should be made permanent.

"Removing the Section 232 tariffs is an appropriate and welcome move from the Biden administration that makes clear our primary concern is with China's overca-

capacity, not the people of Ukraine," said Senator Ron Wyden, Democrat of Oregon.

The Coalition of American Metal Manufacturers and Users, which represents more than 30,000 companies, said the steel and aluminum tariffs were exacerbating supply chain issues and making it harder for domestic manufacturers to obtain raw materials to meet demand.

"The war in Ukraine underscores the irony of maintaining the 'national security' tariffs on steel and aluminum imports imposed by the Trump administration in 2018 on our close allies as the United States seeks to build a global coalition to confront Russia's aggression," the group said in a statement.

# In Settlement, Clearview AI Agrees to Limit Sales of Database

By RYAN MAC  
and KASHMIR HILL

Clearview AI, the facial recognition software maker, on Monday settled a lawsuit brought by the American Civil Liberties Union and agreed to limit its face database in the United States primarily to government agencies and not allow most American companies to have access to it.

Under the settlement, which was filed with an Illinois state court, Clearview will not sell its database of what it said were more than 20 billion facial photos to most private individuals and businesses in the country. But the company can largely still sell that database to federal and state agencies.

The agreement is the latest blow to the New York-based start-up, which built its facial recognition software by scraping photos from the web and popular sites, such as Facebook, LinkedIn and Instagram. Clearview then sold its software to local police departments and government agencies, including the F.B.I. and Immigration and Customs Enforcement.

But its technology has been deemed illegal in Canada, Australia and parts of Europe for violating privacy laws. Clearview also faces a provisional \$22.6 million fine in Britain, as well as a 20 million-euro fine from Italy's data protection agency.



AMR ALFIKY FOR THE NEW YORK TIMES

The facial recognition software maker Clearview AI settled a lawsuit Monday.

"Clearview can no longer treat people's unique biometric identifiers as an unrestricted source of profits," Nathan Freed Wessler, a deputy director with the A.C.L.U.'s Speech, Privacy and Technology Project, said in a statement about the settlement. "Other companies would be wise to take note, and other states should follow Illinois's lead in enacting strong biometric privacy laws."

Floyd Abrams, a First Amendment expert hired by Clearview to

defend the company's right to gather publicly available information and make it searchable, said the company was "pleased to put this litigation behind it."

"To avoid a protracted, costly and distracting legal dispute with the A.C.L.U. and others, Clearview AI has agreed to continue to not provide its services to law enforcement agencies in Illinois for a period of time," he said.

The A.C.L.U. filed its lawsuit in May 2020 on behalf of groups rep-

resenting victims of domestic violence, undocumented immigrants and sex workers. The group accused Clearview of violating Illinois's Biometric Information Privacy Act, a state law that prohibits private entities from using citizens' bodily identifiers, including algorithmic maps of their faces, without consent.

"This is a huge win for the most vulnerable people in Illinois," said Linda Xóchitl Tortolero, a plaintiff in the case and the head of Mujeres Latinas en Acción, an advocacy group for survivors of sexual assault and domestic violence. "For a lot of Latinas, many who are undocumented and have low levels of IT or social media literacy, not understanding how technology can be used against you is a huge challenge."

One of Clearview's sales methods was to offer free trials to potential customers, including private businesses, government employees and police officers. Under the settlement, the company will have a more formal process around trial accounts, ensuring that individual police officers have permission from their employers to use the facial recognition app.

Clearview is also prohibited from selling to any Illinois-based entity, private or public, for five years as part of the agreement. After that, it can resume doing business with local or state law en-

forcement agencies in the state, Mr. Wessler said.

In a key exception, Clearview will still be able to provide its database to U.S. banks and financial institutions under a carve-out in the Illinois law. Hoan Ton-That, chief executive of Clearview AI, said the company did "not have plans" to provide the database "to entities besides government agencies at this time."

The settlement does not mean that Clearview cannot sell any

**A facial recognition algorithm can still be sold to companies.**

product to corporations. It will still be able to sell its facial recognition algorithm, without the database of 20 billion images, to companies. Its algorithm helps match people's faces to any database that a customer provides.

"There are a number of other consent-based uses for Clearview's technology that the company has the ability to market more broadly," Mr. Ton-That said.

As part of the settlement, Clearview did not admit any liability and agreed to pay \$250,000 in attorneys' fees to the plaintiffs. The settlement is subject to approval by an Illinois state judge.

**PUBLIC NOTICE**

**To the Taliban and Da Afghanistan Bank**

In the United States District Court for the Southern District of New York, Case Nos. 03-MD-1570-GBD-SN, 03-CV-9848-GBD-SN, and 20-MC-740-GBD-SN, Judgment Creditors Fiona Havlish et al. ("the Havlish Creditors") and John Does 1 through 7 ("the Doe Creditors") have each filed a motion seeking a turnover of assets of the Afghanistan Bank (DAB) held in the Federal Reserve Bank of New York (FRBNY). The Havlish Creditors seek these assets to satisfy the final judgment entered by the Court on October 16, 2012 against the Taliban, among others, in connection with the terrorist attacks of September 11, 2001. The Doe Creditors seek these assets to satisfy a final judgment entered in the Northern District of Texas on November 5, 2020 against the Taliban, among others, in connection with a terrorist attack in Kabul, Afghanistan on January 4, 2016. Pursuant to Federal Rule of Civil Procedure 69(a), N.Y. C.P.L.R. Sections 5225(b) and 5227, and Section 201(a) of the Terrorism Risk Insurance Act of 2002, the Havlish Creditors' and the Doe Creditors' motions seek to compel FRBNY to turn over the blocked assets of DAB in amount sufficient to satisfy the outstanding amounts of their awards of compensatory damages as of the date the motions were filed, namely \$2,086,386,669 and \$138,418,741, respectively. This is a notice that the motions have been filed. The motion papers are available in both English and Pashto at the following website: [www.DABturnover.com](http://www.DABturnover.com).

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